

## **REMARKS**

### **Status of the Claims**

By this Response, Applicants propose to amend claims 1, 11 and 18, and add claims 23-25. No claims have been canceled. Upon entry by the Examiner, claims 1-5, 7-21, and 23-25 are pending. Support for the amendments to the claims can be found throughout the as-filed specification, including FIG. 1. No new matter has been added.

In the event that the Examiner declines to enter the present Amendment, and (i) any portion of the present Amendment would place some of the claims in better form for appeal if a separate paper were filed containing only such amendments or (ii) any proposed amendment to any claim would render that claim allowable, Applicant respectfully requests that the Examiner inform Applicant of the same pursuant to MPEP §714.13.

### **Interview Summary**

At the outset, the Examiner is thanked for the consideration given during the Interview of September 3, 2009. During the Interview, each of independent claims 1, 11, and 18 were discussed, along with proposed claim amendments thereto, as they relate to *Sawyer* and *Bart* as applied. In the Interview, the Examiner agreed that the rejection of amended claim 11 was improper as the *Bart* reference should have been included, and JP 10-35486 (*Yuzo et al.*) should have been used instead of *Tanaka*. The Examiner further agreed that the response after final would be treated as a non-final response and entered. The remaining substance of the Interview can be found throughout the following.

**Rejections Under 35 U.S.C. § 103(a)**

Claims 1-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over <http://web.presby.edu/~jtbell/transit/sanfrancisco/bart/> (June 1997), hereinafter "*Bart*" in view of *Sawyer* (U.S. Patent No. 4,061,089). This rejection is respectfully traversed.

Claim 1 is directed to a personal rapid transit system comprising a dedicated guideway on which individual steered passenger vehicles travel between stations, a station of the system comprising a portion of the guideway bounded on at least one side by a platform, the width of the guideway portion being sufficient for traveling vehicles of the system to travel along a transit path in normal travel direction of the vehicles unobstructed by vehicles parked on the guideway against the platform, the platform extending generally parallel to the transit path and comprising a plurality of bays for receiving parked vehicles, each bay being defined by a respective parking section of the platform edge and accessible only via a dedicated exit path off of the guideway for a corresponding steered vehicle, which parking section extends obliquely to the transit path, whereby the same steered vehicle of the system can move from and return to the transit path while maintaining a forward travel direction of the vehicle, and park against the parking section of the platform edge of a respective one of the bays by turning from the transit path through an acute angle, the return of the same steered vehicle to the transit path only via a dedicated re-entry path different from the exit path, the parking sections of adjacent bays being connected to each other by a transition section which extends from the front end of one of the parking sections to the rear end of the other.

It is the Examiner's position, as understood from the Interview and corresponding Summary, that loading and unloading of vehicles as depicted in *Bart* is desirable in the PRT system of *Sawyer*.

To the contrary, neither *Bart* nor *Sawyer*, taken singly or in combination, teach or suggest each bay being defined by a respective parking section of the platform edge and accessible only via a dedicated exit path off of the guideway for a corresponding steered vehicle, which parking section extends obliquely to the transit path, whereby the same steered vehicle of the system can move from and return to the transit path while maintaining a forward travel direction of the vehicle, and park against the parking section of the platform edge of a respective one of the bays by turning from the transit path through an acute angle, the return of the same steered vehicle to the transit path only via a dedicated re-entry path different from the exit path.

Specifically, the parking configuration of *Bart* fails to utilize dedicated exit and re-entry paths for the same steered vehicle as claimed. Instead, the parking configuration of *Bart* utilizes an expanse of pavement that can be traversed at virtually any location to manually maneuver a bus from a main road into a parking area. The travel route of *Bart* is certainly not dedicated with respect to a particular bus. The *Sawyer* configuration, although a PRT, also fails to disclose dedicated exit and re-entry paths for the same steered vehicle, while maintaining a forward travel direction of the vehicle as claimed.

Consequently, a modification of *Bart* in view of *Sawyer* or *Sawyer* in view of *Bart* will fail to teach or suggest the claimed invention.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-10 under 35 U.S.C. § 103(a). Applicants respectfully

submit that claims 2-10 are in condition for allowance, at least by virtue of their dependency from allowable claim 1.

**Rejections Under 35 U.S.C. § 103(a)**

Claims 11-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sawyer* (U.S. Patent No. 4,061,089) in view of *Tanaka* (JP 11209926). Pursuant to the Interview, the rejection of claims 11-17 is instead *Sawyer* in view of *Bart* and *Yuzo*, for reasons which may be later detailed by the Examiner, if necessary, in a subsequent Office Action.

Claims 18-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sawyer*. These rejections are respectfully traversed.

Claim 11 is directed to a personal rapid transit system comprising a dedicated guideway on which individual steered passenger vehicles travel between stations, a station of the system comprising a portion of the guideway bounded on at least one side by a platform, the width of the guideway portion being sufficient for traveling vehicles of the system to travel along a transit path in normal travel direction of the vehicles unobstructed by vehicles parked on the guideway against the platform, the platform extending generally parallel to the transit path and comprising a plurality of bays for receiving parked vehicles, each bay being defined by a respective parking section of the platform edge and accessible only via a dedicated exit path off of the guideway for a corresponding steered vehicle, which parking section extends obliquely to the transit path, whereby the same steered vehicle of the system can move from and return to the transit path while maintaining a forward travel direction of the vehicle, and park against

the parking section of the platform edge of a respective one of the bays by turning from the transit path through an acute angle, the return of the same steered vehicle to the transit path only via a dedicated re-entry path different from the exit path, the parking sections of adjacent bays being connected to each other by a transition section which extends from the front end of one of the parking sections to the rear end of the other, wherein the personal rapid transit system comprises a main track along which vehicles of the system travel between a departure station and a destination station, and wherein the station is provided on a bypass track which is branched from the main track, the bypass track extending through the station at a level below that of the stretch of the main track which passes through the station.

Claim 18 is directed to a personal rapid transit system comprising a dedicated guideway on which individual steered passenger vehicles travel between stations, a station of the system comprising a portion of the guideway bounded on at least one side by a platform, the width of the guideway portion being sufficient for traveling vehicles of the system to travel along a transit path in normal travel direction of the vehicles unobstructed by vehicles parked on the guideway against the platform, the platform extending generally parallel to the transit path and comprising a plurality of bays for receiving parked vehicles, each bay being defined by a respective parking section of the platform edge and accessible only via a dedicated exit path off of the guideway for a corresponding steered vehicle, which parking section extends obliquely to the transit path, whereby [[a]] the same steered vehicle of the system can move from and return to the transit path while maintaining a forward travel direction of the vehicle, and park against the parking section of the platform edge of a respective one of the bays by

turning from the transit path through an acute angle, the return of the same steered vehicle to the transit path only via a dedicated re-entry path different from the exit path, the parking sections of adjacent bays being connected to each other by a transition section which extends from the front end of one of the parking sections to the rear end of the other, wherein the personal rapid transit system comprises a main track along which vehicles of the system travel between a departure station and a destination station, and wherein two bypass tracks are branched from the main track on opposite sides of the main track, the bypass tracks extending through the station.

It is respectfully submitted that none of *Bart*, *Sawyer*, or *Yuzo*, taken singly or in combination, teach or suggest each bay being defined by a respective parking section of the platform edge and accessible only via a dedicated exit path off of the guideway for a corresponding steered vehicle, which parking section extends obliquely to the transit path, whereby the same steered vehicle of the system can move from and return to the transit path while maintaining a forward travel direction of the vehicle, and park against the parking section of the platform edge of a respective one of the bays by turning from the transit path through an acute angle, the return of the same steered vehicle to the transit path only via a dedicated re-entry path different from the exit path.

As discussed above, the parking configuration of *Bart* fails to utilize dedicated exit and re-entry paths for the same steered vehicle as claimed. Instead, the parking configuration of *Bart* utilizes an expanse of pavement that can be traversed at virtually any location to manually maneuver a bus from a main road into a parking area. The travel route of *Bart* is certainly not dedicated with respect to a particular bus. The *Sawyer* configuration, although a PRT, also fails to disclose dedicated exit and re-entry

paths for the same steered vehicle, while maintaining a forward travel direction of the vehicle as claimed. The addition of the different levels of track in *Yuzo* fails to overcome the deficiencies pointed out above in connection with *Bart* and *Sawyer*.

Consequently, any combination of *Bart*, *Sawyer* or *Yuzo* will fail to teach or suggest the claimed invention.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 11-17 and claims 18-21 under 35 U.S.C. § 103(a). Applicants respectfully submit that claims 12-17 and 18-21 are in condition for allowance, at least by virtue of their dependency from allowable claims 11 and 18, respectively.

## **Conclusion**

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing all claims into condition for allowance. Applicants submit that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application into condition for allowance.

Finally, Applicants submit that entry of the amendment would place the application into better form for Appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references applied against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the



undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 50-2961.

Respectfully submitted,

Dated: 10-23-2009

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